



FREEBORN &amp; PETERS LLP

ANN M. ZWICK  
Senior CounselFreeborn & Peters LLP  
Attorneys at Law  
311 South Wacker Drive  
Suite 3000  
Chicago, IL 60606(312) 360-6254 direct  
(312) 360-6520 fax

azwick@freeborn.com

www.freeborn.com

December 7, 2017

**VIA OVERNIGHT DELIVERY**Leonardo Chingcuanco (C-14J)  
U.S. Environmental Protection Agency, Region 5  
Office of Regional Counsel  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590Re: *Sipi Metals Corp.*  
*Response to Request for Information Pursuant to Section 104(e) of CERCLA*  
*U.S. Smelter and Lead Refinery, Inc. Superfund Site*  
*Site Spill Identification Number: 053J*

Dear Mr. Chingcuanco,

This letter is being submitted on behalf of Sipi Metals Corporation (Sipi) in response to the *Request for Information Pursuant to Section 104(e) of CERCLA*, dated September 26, 2017, addressed to Marion Cameron. You had granted the company an extension, until December 8, 2017, to submit this response.

**A. Background**

Sipi is an independently owned and operated secondary precious metals recycler and refiner that produces ASTM certified brass and bronze ingot for industrial use. Sipi has been continuously operating at its location at 1720 N. Elston Avenue in Chicago, Illinois since before 1950. Sipi's current operations, and the materials that it processes and produces today, would not be very different from when it operated during the 1950s and 60s, which is the timeframe of the transactions identified in the documents produced by the U.S. Environmental Protection Agency (EPA).

As an ASTM certified brass and bronze ingot manufacturer, Sipi is subject to tight specifications for both the input and output materials. Consequently, Sipi does not process, produce or treat any of the lead-bearing material identified in the documents produced by EPA, those being black dross, dross, lead dross, pig lead, scrap battery dross, scrap battery lead, scrap dross, scrap lead

dross or skims (collectively referred to herein as the “lead-bearing material”). Moreover, this lead-bearing material is not a byproduct of any of Sipi’s recycling or refining operations.

Sipi believes that this lead-bearing material would have most likely been rejected material, which did not meet the specifications for its brass and bronze ingot manufacturing process. Sipi also believes that the lead-bearing material would have been recyclable and that any lead-bearing material that Sipi may have shipped to the U.S. Smelter and Lead Refinery, Inc. Superfund Site (Site) would have been sent for recycling and hence exempt under the Superfund Recycling Equity Act (SREA) and useful products defenses.

**B. Response to Request for Information**

**1. Identify the respondent(s) to these questions.**

**Response:**

Sipi Metals Corporation

**2. Identify all persons consulted in the preparation of the answers to this request for information.**

**Response:**

Joris Coopmans, Senior V.P. of Operations; Marion Cameron, Chief Executive Officer

**3. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any question or who may be able to provide additional responsive documents, identify such persons.**

**Response:**

Sipi is not aware of any other persons that would be able to assist with this request for information.

**4. For each and every question contained herein, identify all documents consulted, examined, or referred to in the preparation of the answer or that contain information responsive to the question and provide true and accurate copies of all such documents.**

**Response:**

The only documents that Sipi consulted or examined in the preparation of its answers were the documents provided by EPA. Sipi was unable to locate any documents pertaining to shipments allegedly made by Sipi to the Site, which according to the EPA documents were

made between 1952 and 1962. Sipi, therefore, cannot verify the accuracy of the information in the documents provided by EPA. Our review of the documents, however, indicates that there were several duplicate transactions and several transactions that did not involve Sipi.

The following Bates numbers correspond to the documents that are duplicate transactions:

- USSL0302422 and USSL0280081

- USSL0279350 and USSL0303046

The following Bates numbers correspond to the documents that are not transactions involving Sipi:

- USSL0006104 (H. Brown & Co.)

- USSL0006034 (Ideal Metal Company)

- USSL0032751 (Lowenthal Metals)

- USSL0355190 (Weissbush Coal)

5. **Describe the lead-bearing material that respondent arranged to have treated, disposed of, or transported to the Site.**

**Response:**

Due to the age of the transactions in the documents provided by EPA, Sipi has no records or knowledge of any lead-bearing material that came to be located at the Site.

6. **Provide the correct name and addresses of Respondent's plants and other facilities where Respondent carried out operations that acquired, generated, or came to possess lead-bearing material that came to be located at the Site.**

**Response:**

Due to the age of the transactions in the documents provided by EPA, Sipi has no records or knowledge of any lead-bearing material that came to be located at the Site. Sipi's facility is located at the following address:

Sipi Metals Corporation  
1720 N. Elston Avenue  
Chicago, IL 60622

- a. **For each of those plants or facilities, provide a brief description of the nature of Respondent's operations at that plant or facility, including the date such operations commenced and concluded; and**

**Response:**

Sipi operates as a secondary precious metals recycler and refiner at the above location. Sipi commenced operation in 1905 and has operated continuously at that location since before 1950.

- b. **Provide a brief description of the types of work performed at each plant or facility, including but not limited to the industrial, chemical, or institutional processes and treatments undertaken at each plant or facility.**

**Response:**

Sipi produces ASTM certified brass and bronze ingot for industrial use by melting and refining recyclable materials.

7. **Describe any arrangement whereby Respondent came to own or possess lead-bearing material that came to be located at the Site, without that material being processed or routed through any of Respondent's plants or facilities.**

**Response:**

Due to the age of the transactions in the documents provided by EPA, Sipi has no records or knowledge of any lead-bearing material that came to be located at the Site. However, as stated above, Sipi produces ASTM certified brass and bronze ingot. Due to the tight specifications required for manufacturing ASTM certified brass and bronze ingot, the lead-bearing materials would not have been processed, produced or treated by Sipi. Moreover, the lead-bearing materials are not byproducts generated from Sipi's brass or bronze ingot manufacturing process. Rather, Sipi believes that the materials were most likely rejected materials that were brokered by Sipi for recycling. The materials would have likely come in on a truck load, with other materials for its brass and bronze ingot manufacturing process, and were rejected by Sipi as not meeting the input specifications.

8. **What was the monthly or annual quantity of lead-bearing material that Respondent arranged to have treated, disposed of, or transported to the Site?**

**Response:**

See response to Question 5 above.

9. **What was the total quantity of lead-bearing material that Respondent arranged to have treated, disposed of, or transported to the Site.**

**Response:**

See response to Question 5 above.

10. **Was lead-bearing material treated at Respondent's plants or facilities before transport to the Site?**

**Response:**

Due to the age of the transactions in the documents provided by EPA, Sipi has no records or knowledge of any lead-bearing material being transported to the Site. However, as stated above, Sipi produces ASTM certified brass and bronze ingot. Due to the tight specifications required for manufacturing ASTM certified brass and bronze ingot, the lead-bearing materials would not have been treated by Sipi before transport to the Site.

- a. **What treatment process(es) took place?**

**Response:**

See response to Question 10 above.

- b. **What was the result?**

**Response:**

See response to Question 10 above.

11. Was lead-bearing material separated (e.g., physically or chemically) from other materials at Respondent's plants or facilities, before transport to the Site?

**Response:**

See response to Question 5 above.

12. Describe how each type of lead-bearing material was collected and stored at Respondent's facility prior to disposal/treatment/recycling/sale/transport at or to the Site.

**Response:**

See response to Question 5 above.

13. Identify any third parties other than USS Lead that Respondent sent or arranged to send lead-bearing material to for treatment, and the dates the lead-bearing material was sent for treatment, where they were sent for treatment, what treatment processes took place, the result of the treatment process, and the disposition of the lead-bearing material.

**Response:**

Sipi has no records or knowledge of the lead-bearing material being sent off-site for treatment.

14. Apart from contracting for treatment or disposal of lead-bearing material through another entity or party, did respondent ever dispose of lead-bearing material itself?

**Response:**

Sipi has no records or knowledge of ever disposing of the lead-bearing material.

- a. If so, describe in detail the circumstances of Respondent's disposal, including what was disposed, when the disposal(s) took place, where the substances were disposed, and the quantity, amount, or volume disposed. Include any documentation relating to such disposal.

**Response:**

Not applicable.

15. **With respect to lead-bearing material of the type treated at, disposed of at, or transported to the Site, explain what respondent did with these materials if Respondent could not find a buyer to purchase such material, including methods of use, handling, treatment, sale, recycling, and disposal, and how much Respondent paid or received for each such method.**

**Response:**

Sipi has no records or knowledge of handling the lead-bearing material. However, based on Sipi's knowledge of its operation and the recycling industry in general, a market would have existed for the lead-bearing material and it is highly unlikely that Sipi would have been unable to find a buyer for it.

16. **For each type of lead-bearing waste, describe Respondent's agreements or other arrangements for its disposal, treatment, storage, recycling, or sale.**

**Response:**

Sipi has no records or knowledge of handling the lead-bearing material. However, based on Sipi's knowledge of its operation, if Sipi had handled the lead-bearing material, then it would have been sold for recycling.

- a. **Provide any agreement and document, including waste logs, journals, or notes, related to any transfer of lead-bearing waste from Respondent's facilities or plants that came to be located at the Site?**

**Response:**

Sipi has no records related to the transfer of lead-bearing material to the Site.

- b. **Provide all correspondence and written communications, including but not limited to emails, between Respondent and U.S. Metals Refining Company, U.S. Smelter and Lead Refinery, Inc., U.S. Smelter, Refining and Metals Company, regarding the Respondent's lead-bearing waste that came to be located at the Site?**

**Response:**

See response to Question 16(a) above.

17. **Did Respondent sell or transfer the lead-bearing waste to other locations besides the Site?**

**Response:**

Sipi has no knowledge of any sales or transfers of lead-bearing material from its facility.

- a. **If so, provide any agreements and documents, including waste logs, journals, or notes, related to the transfer of the lead-bearing waste from Respondent's plants or facilities to locations other than the Site.**

**Response:**

Not applicable.

18. **Did Respondent ever request from the buyer that lead or lead-bearing material be returned to Respondent after buyer's treatment or handling of the lead-bearing waste was completed?**

**Response:**

Sipi has no knowledge of any sales of lead-bearing material from its facility. Based on Sipi's knowledge of its operation, it would never have requested that a buyer return lead-bearing waste after a buyer's treatment or handling of the material.

- a. **If so, explain the details of such transaction(s). Provide any documentation relating to any return to Respondent of lead or lead-bearing wastes.**

**Response:**

Not applicable.

19. **Identify, describe and provide all documents that refer or relate to:**

- a. **The nature, including the chemical content, characteristics, physical state (e.g., solid, liquid) and quantity (volume and weight) of all lead-bearing waste involved in each arrangement transferring materials from any facility owned or operated by Respondent to any other facility.**

**Response:**

Sipi has no documents referring or relating to the transfer of lead-bearing material from its facility.

- b. **The condition of the transferred material containing hazardous substances when it was stored, disposed of, treated or transported for disposal or treatment.**

**Response:**

Sipi has no documents referring or relating to the transfer of lead-bearing material from its facility. Based on Sipi's knowledge of its operation, any lead-bearing material transferred from Sipi would have been in a solid, recyclable form.

- c. **The markings on and type, condition and number of containers in which the hazardous materials were contained when they were stored, disposed, treated, or transported for disposal or treatment.**

**Response:**

Sipi has no documents referring or relating to the transfer of lead-bearing material from its facility. Based on Sipi's knowledge of its operation, any containers used to store and/or transport lead-bearing materials would have been marked appropriately and been compatible with the type and quantity of materials to be recycled.

- d. **All tests, analyses, analytical results and manifests concerning each lead-bearing waste involved in each transaction. Include information regarding who conducted the test and how the test was conducted (batch sampling, representative sampling, splits, composite, etc.).**

**Response:**

See response to Question 19(a) above.

20. **Provide any correspondence or other communications between Respondent and the buyer regarding what the buyer planned to do with the lead-bearing waste.**

**Response:**

See response to Question 19(a) above.



Sincerely,

Ann M. Zwick


cc: Joris Coopmans  
Phil Comella  
Therese Dorigan  
Jim Kallas

4209384v3/32179-0001

### DECLARATION

I declare under penalty of perjury that I am authorized to respond on behalf of the Respondent and that the foregoing is complete, true and accurate.

Executed on December 6, 2017.

  
Signature

MARION D. CAMERON  
Type or Print Name

CEO  
Title